

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BONNIE J. HIBBS, )  
 ) CASE NO. C13-2305-RSM-MAT  
Plaintiff, )  
 )  
v. )  
 ) REPORT AND RECOMMENDATION  
CAROLYN W. COLVIN, Acting )  
Commissioner of Social Security, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Plaintiff brought this action to seek judicial review of the denial of her applications for Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI) by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 21.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) provide a *de novo* hearing and a new decision regarding plaintiff's DIB and SSI applications; (2) further evaluate

01 plaintiff's sleep apnea and determine whether it is a severe impairment; (3) further evaluate  
02 plaintiff's obesity, GERD, and credibility, and (4) determine plaintiff's residual functional  
03 capacity. Additionally, upon proper application, the Court will consider plaintiff's application  
04 for attorney fees and expenses pursuant to 28 U.S.C. § 2412, and costs pursuant to 28 U.S.C. §  
05 1920.

06 Given the above, the Court recommends that United States District Judge Ricardo S.  
07 Martinez immediately approve this Report and Recommendation and order the case  
08 REVERSED and REMANDED for further administrative proceedings. A proposed order  
09 accompanies this Report and Recommendation.

10 DATED this 21st day of August, 2014.

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13 Mary Alice Theiler  
14 Chief United States Magistrate Judge  
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